

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koji (nmi) Takeguchi  
Serial No.: 10/775,929  
Filing Date: February 10, 2004  
Group Art No.: 2664  
Confirmation No.: 8578  
Title: Upgraded Flexible Open Ring Optical Network and Method

**Mail Stop: Amendments**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

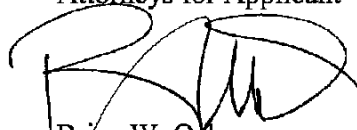
**INFORMATION DISCLOSURE STATEMENT**

Under 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant respectfully requests that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.

**REMARKS**

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicant believes that this Information Disclosure Statement has been filed before the mailing date of the first Official Action in this case. Therefore, Applicant believes that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicant



Brian W. Oaks  
Reg. No. 44,981

Date: May 23, 2006

Correspondence Address:

**Customer Number                      05073**

PTO-1449  <b>Information Disclosure Citation In an Application</b>		Application No. 10/775,929		Applicant(s) Koji (nmi) Takeguchi			
		Docket Number 064731.0350	Group Art Unit 2664	Filing Date February 10, 2004			
<b>U.S. PATENT DOCUMENTS</b>							
		<b>DOCUMENT NO.</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>
	<b>A</b>	6,701,085	03/02/2004	Muller			
	<b>B</b>	6,895,184	05/17/2005	Way			
	<b>C</b>	2005/0111495	05/26/2005	Gumaste et al.			
	<b>D</b>						
	<b>E</b>						
	<b>F</b>						
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>DOCUMENT NO.</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>
							<b>YES</b> <b>NO</b>
	<b>G</b>	WO 2004/107617	12/09/2004	PCT			
	<b>H</b>	EP 1 564 933	08/17/2005	European Patent Office			
	<b>I</b>						
<b>NON-PATENT DOCUMENTS</b>							
		<b>DOCUMENT (Including Author, Title, Source, and Pertinent Pages)</b>					<b>DATE</b>
	<b>J</b>	Communication from the European Patent Office, European Search Report for Application No. EP 04 02 6005, 05/03/2006, 3 pages					05/03/2006
	<b>K</b>	Gumaste et al., "Benefits of Optical Subnets in WDM Ring Networks," First International Conference on Optical Communications and Networks, November 11-14, 2002, World Scientific Singapore, page 99-103					11/11/2002 through 11/14/2002
	<b>L</b>						
	<b>M</b>						
	<b>N</b>						
	<b>O</b>						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

U.S. PATENT AND TRADEMARK OFFICE